

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

IN RE: BLACKBAUD, INC.,
CUSTOMER DATA BREACH
LITIGATION

Case No.: 3:20-mn-02972-JMC

MDL No. 2972

**CASE MANAGEMENT ORDER NO. 15
(SUMMARY OF CASE MANAGEMENT
CONFERENCE NO. 9)**

THIS DOCUMENT RELATES TO: ALL ACTIONS

On January 11, 2022, the court held a case management conference, and addressed the following issues:

1. TAG-ALONG ACTIONS INVOLVING NON-BLACKBAUD DEFENDANTS

The four (4) pending cases involving non-Blackbaud Defendants are *Cohen v. Blackbaud, Inc. et al* (3:21-cv-00948-JMC), *Peterson v. Allina Health System* (3:21-cv-00989-JMC), *Mesa et. al. v. Enloe Medical Center* (3:21-cv-01872-JMC), and *Bell (f/k/a Jobe) v. Community Medical Centers* (3:21-cv-02461-JMC). Plaintiffs' counsel represented that the parties in the cases with non-Blackbaud Defendants are not in agreement regarding how to proceed and whether to lift the stay on these proceedings. The court held a status conference to discuss these cases on Tuesday, January 18, 2022.

2. DISCOVERY: INSPECTION PROTOCOL

The parties had their first phone call to discuss the protocol for Plaintiffs' inspection of Blackbaud's servers but have not made significant progress in moving towards an agreement. The court directed the parties to meet with the Special Master at least every seven (7) days to discuss discovery issues moving forward, particularly the exchange of data related to the breach. The

court directed the parties to submit a proposed order regarding notification of Blackbaud customers of the litigation and potential disclosure of data.

3. APPLICATIONS FOR LEADERSHIP RE-APPOINTMENT

In Case Management Order No. 5, the court appointed leadership counsel for a one-year term set to expire on February 16, 2022. (ECF No. 35 at 7.) At the January 11, 2022 Case Management Conference, the court reappointed leadership counsel by oral order upon finding that counsel have fulfilled their responsibilities and zealously advocated for their clients thus far. If there is a need to revisit these appointments, the court will notify counsel and establish an appropriate reappointment application process.

4. SCHEDULING

The court plans to discuss the imposition of a new scheduling order at the next Case Management Conference, which is scheduled virtually for February 18, 2022 at 9:30 a.m. Counsel is directed to submit proposed scheduling orders by February 15, 2022.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

January 18, 2022
Columbia, South Carolina